REMARKS

This is a full and timely response to the outstanding Office action mailed March 21, 2005. Upon entry of the amendments in this response claims 1-61 are pending. More specifically, claims 1, 23, 24, 25, 46, 50, and 51 are amended and claims 57-61 are added. These amendments are specifically described hereinafter. It is believed that the foregoing amendments add no new matter to the present application.

I.   Present Status of Patent Application

Claims 1-56 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Pierre *et al.,* (U.S. Patent No. 6,678,463).

II.   Rejections Under 35 U.S.C. §103(a)

A.   Claims 1-22

The Office Action rejects claims 1-22 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Pierre* (U.S. Patent No. 6,678,463). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 1 recites:

1.   A file allocation method for a hard disk drive comprising the steps of:

receiving a request to allocate hard disk space of a defined size for a buffer file;

allocating clusters for the buffer file from a plurality of clusters on the hard disk, wherein
     the clusters for the buffer file store media content instances; and

designating a portion of the clusters of the buffer file for at least one non-buffer file such
     that *the non-buffer file is permitted to simultaneously share the portion of the*
     clusters with the buffer file.

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical.*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Pierre* do not disclose, teach, or suggest at least **the non-buffer file is permitted to simultaneously share the portion of the clusters with the buffer file.** In *Pierre*, an area of memory is not designated as both buffer and semi-permanent at the same time.

> After the recording is complete the first portion of the program, which was previously stored in the circular buffer 90, will be copied into the semi-permanent storage area, preferably in front of the allocated space within the semi-permanent storage 94. … Alternatively, the contents of the circular buffer may be copied to an altogether different area or the contents may remain in the buffer, with the buffer being, at least logically, re-mapped into the semi-permanent storage area, and a new circular buffer being allocated out of the temporary area or out of the semi-permanent area. The latter may include updating a data structure that would be used to keep track of the temporary and semi-permanent divisions.

Pierre col.6 line 61 – col. 7 line 8.

In *Pierre*, an area of memory is either designated as part of a buffer or as semi-permanent. An area of memory in a buffer may be remapped to a semi-permanent area, or the content of the buffer may be copied into a semi-permanent area. However, upon the remapping, the cluster is no longer in the buffer. If the content of the cluster in the buffer is copied to the semi-permanent area, the content resides in both areas but the buffer designation and semi-permanent designation do not exist for the same individual cluster. There is no sharing of a cluster between a buffer file and a non-buffer file.

Conversely, as claimed, a non-buffer file and a buffer file simultaneously share a cluster, in at least one embodiment.

The LinkedFiles entry 570 indicates the number of files that share a particular cluster number. For example, if no clusters were allocated to a file, the LinkedFiles entry 570 for a particular cluster number in the cluster entry 560 would be zero ("0"). If a cluster was allocated for one file, or a portion of one file, the LinkedFiles entry 570 for that particular cluster number would be "1". If two files share the same cluster, the LinkedFiles entry 570 for that cluster number would be "2", and so on.

Patent Application page 39, lines 13-19.

Pierre does not disclose the clusters being simultaneously shared.

As shown above, the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 1. Notwithstanding, no such teaching can be identified anywhere within these references. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 1 is allowable.

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-22 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-22 contain all the steps/features of independent claim 1. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 2-22 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 1, dependent claims 2-22 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 2-22 are allowable.

B.   Claim 23

The Office Action rejects claim 23 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Pierre* (U.S. Patent No. 6,678,463). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 23 recites:

23.   A file allocation method for a hard disk drive comprising the steps of:

receiving a request to allocate hard disk space of a defined size for a buffer file;

allocating clusters for the buffer file from a plurality of clusters on the hard disk, wherein the clusters for the buffer file store media content instances;

designating a portion of the clusters of the buffer file for at least one non-buffer file such that *the buffer file is permitted to simultaneously share the portion of the clusters with the non-buffer file*;

using the non-buffer file clusters for permanent recordings;

maintaining a file sharing count for the clusters of the buffer file, such that the clusters with the file sharing count greater than one are removed from the buffer file;

removing from the buffer file the portion of the clusters that are shared by the buffer file and the non-buffer file and designating said previously shared portion as a portion of non-buffer file clusters; and

replacing the portion of the clusters that were removed from the buffer file with replacement clusters in order to maintain the defined size of the disk space for the buffer file as substantially constant.

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical.*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). Applicant respectfully submits that independent claim 23 is allowable for at least the reason that *Pierre* do not disclose, teach, or suggest at least **the buffer file is**

permitted to simultaneously share the portion of the clusters with the non-buffer file. In *Pierre,* an area of memory is not designated as both buffer and semi-permanent at the same time.

> After the recording is complete the first portion of the program, which was
> previously stored in the circular buffer 90, will be copied into the semi-
> permanent storage area, preferably in front of the allocated space within
> the semi-permanent storage 94. … Alternatively, the contents of the
> circular buffer may be copied to an altogether different area or the contents
> may remain in the buffer, with the buffer being, at least logically, re-
> mapped into the semi-permanent storage area, and a new circular buffer
> being allocated out of the temporary area or out of the semi-permanent
> area. The latter may include updating a data structure that would be used
> to keep track of the temporary and semi-permanent divisions.

Pierre col.6 line 61 – col. 7 line 8.

In *Pierre*, an area of memory is either designated as part of a buffer or as semi-permanent. An area of memory in a buffer may be remapped to a semi-permanent area, or the content of the buffer may be copied into a semi-permanent area. However, upon the remapping, the cluster is no longer in the buffer. If the content of the cluster in the buffer is copied to the semi-permanent area, the content resides in both areas but the buffer designation and semi-permanent designation do not exist for the same individual cluster. There is no sharing of a cluster between a buffer file and a non-buffer file.

Conversely, as claimed, a non-buffer file and a buffer file simultaneously share a cluster, in at least one embodiment.

> The LinkedFiles entry 570 indicates the number of files that share a
> particular cluster number. For example, if no clusters were allocated to a
> file, the LinkedFiles entry 570 for a particular cluster number in the cluster
> entry 560 would be zero ("0"). If a cluster was allocated for one file, or a

portion of one file, the LinkedFiles entry 570 for that particular cluster

number would be "1". If two files share the same cluster, the LinkedFiles

entry 570 for that cluster number would be "2", and so on.

Patent Application page 39, lines 13-19.

Pierre does not disclose the clusters being simultaneously shared.

As shown above, the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 23. Notwithstanding, no such teaching can be identified anywhere within these references. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 23 is allowable.

C.   Claim 24

The Office Action rejects claim 24 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Pierre* (U.S. Patent No. 6,678,463). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 24 recites:

24.   A file allocation system for a hard disk drive comprising:

a memory with driver logic; and

a processor configured with the driver logic to receive a request to allocate hard disk

space of a defined size for a buffer file, wherein the processor is further

configured with the driver logic to allocate clusters for the buffer file from a

plurality of clusters on the hard disk, wherein the clusters for the buffer file store

media content instances, wherein the processor is further configured with the

driver logic to designate a portion of the clusters of the buffer file for at least one

non-buffer file such that *the buffer file is permitted to simultaneously share the*

portion of the clusters with the non-buffer file, wherein the processor is further

configured with the driver logic to use the non-buffer file clusters for permanent

recordings, wherein the processor is further configured with the driver logic to maintain a file sharing count for the clusters of the buffer file, such that the clusters with the file sharing count greater than one are removed from the buffer file, wherein the processor is further configured with the driver logic to remove from the buffer file the portion of the clusters that are shared by the buffer file and the non-buffer file and designating said previously shared portion as a portion of non-buffer file clusters, wherein the processor is further configured with the driver logic to replace the portion of the clusters that were removed from the buffer file with replacement clusters in order to maintain the defined size of the disk space for the buffer file as substantially constant.

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical.*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). Applicant respectfully submits that independent claim 24 is allowable for at least the reason that *Pierre* do not disclose, teach, or suggest at least **the buffer file is permitted to simultaneously share the portion of the clusters with the non-buffer file.** In *Pierre,* an area of memory is not designated as both buffer and semi-permanent at the same time.

After the recording is complete the first portion of the program, which was previously stored in the circular buffer 90, will be copied into the semi-permanent storage area, preferably in front of the allocated space within the semi-permanent storage 94. ... Alternatively, the contents of the circular buffer may be copied to an altogether different area or the contents may remain in the buffer, with the buffer being, at least logically, re-mapped into the semi-permanent storage area, and a new circular buffer being allocated out of the temporary area or out of the semi-permanent area. The latter may include updating a data structure that would be used to keep track of the temporary and semi-permanent divisions.

Pierre col.6 line 61 – col. 7 line 8.

In *Pierre,* an area of memory is either designated as part of a buffer or as semi-permanent. An area of memory in a buffer may be remapped to a semi-permanent area, or the content of the buffer may be copied into a semi-permanent area. However, upon the remapping, the cluster is no longer in the buffer. If the content of the cluster in the buffer is copied to the semi-permanent area, the content resides in both areas but the buffer designation and semi-permanent designation do not exist for the same individual cluster. There is no sharing of a cluster between a buffer file and a non-buffer file.

Conversely, as claimed, a non-buffer file and a buffer file simultaneously share a cluster, in at least one embodiment.

> The LinkedFiles entry 570 indicates the number of files that share a particular cluster number. For example, if no clusters were allocated to a file, the LinkedFiles entry 570 for a particular cluster number in the cluster entry 560 would be zero ("0"). If a cluster was allocated for one file, or a portion of one file, the LinkedFiles entry 570 for that particular cluster number would be "1". If two files share the same cluster, the LinkedFiles entry 570 for that cluster number would be "2", and so on.

Patent Application page 39, lines 13-19.

Pierre does not disclose the clusters being simultaneously shared.

As shown above, the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 24. Notwithstanding, no such teaching can be identified anywhere within these references. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 24 is allowable.

D.   Claims 25-45

The Office Action rejects claims 25-45 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Pierre* (U.S. Patent No. 6,678,463). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 25 recites:

25.   A file allocation system for a hard disk drive comprising:

a memory with driver logic; and

a processor configured with the driver logic to receive a request to allocate hard disk space of a defined size for a buffer file, wherein the processor is further configured with the driver logic to allocate clusters for the buffer file from a plurality of clusters on the hard disk, wherein the clusters for the buffer file store media content instances, wherein the processor is further configured with the driver logic to designate a portion of the clusters of the buffer file for at least one non-buffer file such that *the non-buffer file is permitted to simultaneously share the portion of the clusters of the buffer file with the buffer file.*

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical.*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). Applicant respectfully submits that independent claim 25 is allowable for at least the reason that *Pierre* do not disclose, teach, or suggest at least **the non-buffer file is permitted to simultaneously share the portion of the clusters of the buffer file with the buffer file.** In *Pierre,* an area of memory is not designated as both buffer and semi-permanent at the same time.

After the recording is complete the first portion of the program, which was previously stored in the circular buffer 90, will be copied into the semi-permanent storage area, preferably in front of the allocated space within

the semi-permanent storage 94. ... Alternatively, the contents of the

circular buffer may be copied to an altogether different area or the contents

may remain in the buffer, with the buffer being, at least logically, re-

mapped into the semi-permanent storage area, and a new circular buffer

being allocated out of the temporary area or out of the semi-permanent

area. The latter may include updating a data structure that would be used

to keep track of the temporary and semi-permanent divisions.

Pierre col.6 line 61 – col. 7 line 8.

In *Pierre*, an area of memory is either designated as part of a buffer or as semi-permanent.
An area of memory in a buffer may be remapped to a semi-permanent area, or the content of the
buffer may be copied into a semi-permanent area. However, upon the remapping, the cluster is no
longer in the buffer. If the content of the cluster in the buffer is copied to the semi-permanent
area, the content resides in both areas but the buffer designation and semi-permanent designation
do not exist for the same individual cluster. There is no sharing of a cluster between a buffer file
and a non-buffer file.

Conversely, as claimed, a non-buffer file and a buffer file simultaneously share a cluster,
in at least one embodiment.

The LinkedFiles entry 570 indicates the number of files that share a

particular cluster number. For example, if no clusters were allocated to a

file, the LinkedFiles entry 570 for a particular cluster number in the cluster

entry 560 would be zero ("0"). If a cluster was allocated for one file, or a

portion of one file, the LinkedFiles entry 570 for that particular cluster

number would be "1". If two files share the same cluster, the LinkedFiles

entry 570 for that cluster number would be "2", and so on.

Patent Application page 39, lines 13-19.

Pierre does not disclose the clusters being simultaneously shared.

As shown above, the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 25. Notwithstanding, no such teaching can be identified anywhere within these references. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 25 is allowable.

Because independent claim 25 is allowable over the cited art of record, dependent claims 26-45 (which depend from independent claim 25) are allowable as a matter of law for at least the reason that dependent claims 26-45 contain all the steps/features of independent claim 25. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 26-45 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 25, dependent claims 26-45 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 26-45 are allowable.

E.   Claims 46-49

The Office Action rejects claims 46-49 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Pierre* (U.S. Patent No. 6,786,463). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 46 recites:

46.   A file allocation table on a recordable media, said table comprising:

a first data structure comprising file list entries for files, wherein the file list entries
    include the clusters allocated for each of the files; and

a second data structure comprising cluster list entries for the clusters, wherein *the cluster
    list entries identify the clusters and the quantity of the files that simultaneously
    share each one of the clusters.*

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical.*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). Applicant respectfully submits that independent claim 46 is allowable for at least the reason that *Pierre* do not disclose, teach, or suggest at least **the cluster list entries identify the clusters and the quantity of the files that simultaneously share each one of the clusters.** In *Pierre,* an area of memory is not designated as both buffer and semi-permanent at the same time.

> After the recording is complete the first portion of the program, which was previously stored in the circular buffer 90, will be copied into the semi-permanent storage area, preferably in front of the allocated space within the semi-permanent storage 94. ... Alternatively, the contents of the circular buffer may be copied to an altogether different area or the contents may remain in the buffer, with the buffer being, at least logically, re-mapped into the semi-permanent storage area, and a new circular buffer being allocated out of the temporary area or out of the semi-permanent area. The latter may include updating a data structure that would be used to keep track of the temporary and semi-permanent divisions.

Pierre col.6 line 61 – col. 7 line 8.

In *Pierre*, an area of memory is either designated as part of a buffer or as semi-permanent. An area of memory in a buffer may be remapped to a semi-permanent area, or the content of the buffer may be copied into a semi-permanent area. However, upon the remapping, the cluster is no longer in the buffer. If the content of the cluster in the buffer is copied to the semi-permanent area, the content resides in both areas but the buffer designation and semi-permanent designation do not exist for the same individual cluster. There is no sharing of a cluster between a buffer file and a non-buffer file.

Conversely, as claimed, a non-buffer file and a buffer file simultaneously share a cluster, in at least one embodiment.

> The LinkedFiles entry 570 indicates the number of files that share a
> particular cluster number. For example, if no clusters were allocated to a
> file, the LinkedFiles entry 570 for a particular cluster number in the cluster
> entry 560 would be zero ("0"). If a cluster was allocated for one file, or a
> portion of one file, the LinkedFiles entry 570 for that particular cluster
> number would be "1". If two files share the same cluster, the LinkedFiles
> entry 570 for that cluster number would be "2", and so on.

Patent Application page 39, lines 13-19.

Pierre does not disclose the clusters being simultaneously shared.

As shown above, the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 46. Notwithstanding, no such teaching can be identified anywhere within these references. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 46 is allowable.

Because independent claim 46 is allowable over the cited art of record, dependent claims 47-49 (which depend from independent claim 46) are allowable as a matter of law for at least the reason that dependent claims 47-49 contain all the steps/features of independent claim 46. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 47-49 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 46, dependent claims 47-49 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 47-49 are allowable.

F.   Claims 50-56

The Office Action rejects claims 50-56 under 35 U.S.C. §103(a) as allegedly being
unpatentable over *Pierre* (U.S. Patent No. 6,678,463). For the reasons set forth below, Applicant
respectfully traverses the rejection.

Independent claim 50 recites:

50.   A device driver on a recordable media comprising:

logic configured to allocate clusters for a buffer file for buffer space on a disk and cause
         media content instances to be written to the buffer space;

logic configured to limit the buffer file to a substantially constant buffer file size, such
         that when the buffer file approaches a full status, the cluster storing the oldest
         media content is first deallocated from the buffer file and a new cluster is
         correspondingly allocated to the buffer file; and

logic configured to maintain the buffer space as substantially constant in size by
         autonomously and automatically removing the buffer space clusters designated for
         a permanent recording and replacing the removed buffer space clusters with
         replacement clusters.

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references
must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., In re
Dow Chemical.,* 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller,* 208 U.S.P.Q.2d 871,
881 (C.C.P.A. 1981). Applicant respectfully submits that independent claim 50 is allowable for
at least the reason that *Pierre* do not disclose, teach, or suggest at least **logic configured to limit
the buffer file to a substantially constant buffer file size, such that when the buffer file
approaches a full status, the cluster storing the oldest media content is first deallocated
from the buffer file and a new cluster is correspondingly allocated to the buffer file.** Instead,
Pierre teaches:

> Alternatively, the contents of the circular buffer may be copied to
> an altogether different area or the contents may remain in the

> buffer, with the buffer being, at least logically, remapped into the
>
> semi-permanent storage area, and a new circular buffer being
>
> allocated out of the temporary area or out of the semi-permanent
>
> area.

Pierre, col. 6, line 67 – col. 7, line 5. Thus, *Pierre* does not teach, when the buffer file approaches a full status, first deallocating the cluster with the oldest content and correspondingly allocating a new cluster.

As shown above, the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 50. Notwithstanding, no such teaching can be identified anywhere within these references. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 50 is allowable.

Because independent claim 50 is allowable over the cited art of record, dependent claims (which depend from independent claim 50) are allowable as a matter of law for at least the reason that dependent claims 51-56 contain all the steps/features of independent claim 50. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 51-56 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 50, dependent claims 51-56 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 51-56 are allowable.

III.   Cited References Made of Record

The cited references made of record have been considered, but are not believed to affect the patentability of the presently pending claims.
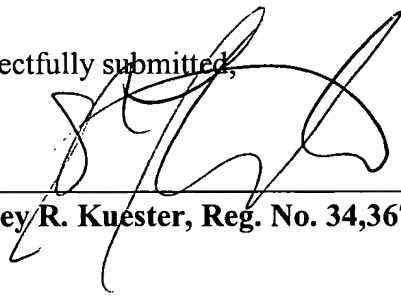
IV.   Miscellaneous Issues

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-61 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

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